

REMARKS

Claims 13-32 are in the application. All of the independent claims 13, 26 and 30 have again been rejected under Section 102 based on prior art made of record by the applicants: application EP0926909A2. Further, each of the dependent claims has been finally rejected under Section 102 based on the same reference or under Section 103 based on a combination of EP0926909A2 in view of Xu (U.S. 6,738,390).

Applicants appreciate the Examiner's remarks at page 9 of the Final Office Action and submit that while there may be disagreement as to whether EP0926909A2 actually does disclose conversion of signaling protocols, the Examiner should recognize that the invention is not simply that of performing conversions to signaling messages. For example, at page 3 of the Final Office Action, the rejection clearly acknowledges that the combination of claim 13 includes three distinct features:

(1) determining if the first signal protocol and a second signaling protocol supported by the second device are the same protocol, the determination made by the network access device and based on a target datum identifying the second device ...

(2) if the protocols are not the same the method further comprising converting the signaling message into the second signaling protocol, transferring the converted signaling message to the second device by tunneling the message through the third network ...

(3) if the protocols are the same the method further comprising transferring the signaling message to the second device by tunneling the message through the third network.

However, the rejection does not appear to give appropriate regard to these features. The rejection does recite some or all of the above claim language as though present in EP0926909A2. The reference fails to disclose these features. Specifically, there is no express or implied disclosure for "determining if the first signal protocol and a second signaling protocol supported by the second device are the same protocol" and even if there were, it is clear that neither Figure 4 nor any of the citations (e.g., Col. 4, lines 40 - 49, or Col. 5, lines 10-22) disclose either step (2) or step (3) above. That is, EP0926909A2 does not disclose any process which limits

conversion of a signaling method to only when the protocols are not the same. As taught by the applicants, inclusion of the above three steps prevents data loss and can be carried out with a low device-related expense. Also, it is only the applicants who teach that conversion of signaling messages of one protocol into signaling messages of another protocol "should ... only be carried out if ... absolutely necessary." See par [0010] of the published specification. On the other hand, since the invention described in the disclosure of EP0926909A2 apparently relates to conversion of operation identifiers and "determining whether a received message is associated with a supplementary service (see col. 4, lines 45-50), there is no basis to assume that any of the disclosure provides any details concerning signal protocol conversions and, certainly there is no disclosure relating to applicants' criteria (steps (1), (2) and (3) above) for conversion only when absolutely necessary.

It is understood that the prior art disclosure is simply not specific enough to determine exactly how signal protocol conversion is performed in a network relating to EP0926909A2. However, the requirements for rejecting the claims, be they under Section 102 or under Section 103) include providing a clear identification of every claimed feature. As a reference for doing such, EP0926909A2 is deficient and none of the other art of record compensates for such.

If the Examiner has any further basis for advancing any of the rejections the Examiner is requested to provide an Advisory Action citing express support from the prior art. Absent such, the rejections presented in the Final Office Action do not disclose every claimed feature. In this regard, the rejection of independent claim 26 is equally deficient. The support (col. 4, lines 33-55) is misplaced because that passage relates to information elements for supplementary services. Further, claim 26 expressly requires a comparator. Neither the comparator function nor the converter function of claim 26 are suggested in the prior art. Similarly, the rejection of claim 30 should be withdrawn, as applicants require a "compare device" having functions not suggested in the citation of col. 4, lines 33-55. Claim limitations provide essential specificity to distinguish over the prior art and it is improper to gloss over words of the claims as if they have no meaning.

In summary, the disclosure relied upon to reject the claims has no relation to signaling protocols. Note again that signaling protocol relate to signaling between functional units, while EP0926909A2 concerns conversion of operation identifiers according to different

Serial No. 10/525,778

Atty. Doc. No. 2002P10504WOUS

conventions. Distinctions between the dependent claims and the prior art have already been made of record. Generally, because the primary reference does not disclose the features recited in the independent claims, the combinations applied under Section 103 cannot result in any of the claimed subject matter.

For these and other reasons it is submitted that the claims are all allowable over the art of record and allowance of the application is therefore requested.

Conclusion

The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 6/11/08

By: John P. Musone

John P. Musone
Registration No. 44,961
(407) 736-6449

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830